

**CHAPTER 1108**  
**POSTCONVICTION PROCEDURE COSTS**  
*H.F. 2429*

**AN ACT** relating to the use of chapter 663A of the Code by persons convicted of, or sentenced for, a public offense.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 663A.5, Code 1981, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** If an applicant confined in a state institution seeks relief under section 663A.2, subsection 6, and the court finds in favor of the applicant, or the postconviction proceedings fail and costs and expenses referred to in unnumbered paragraph 1 cannot be collected from the applicant, these costs and expenses initially shall be paid by the county in which the state institution is located. The facts of payment and the proceedings on which it is based, with a statement of the amount of costs and expenses incurred, with approval in writing by the presiding judge appended to the statement or endorsed on it, shall be certified by the clerk of the district court under seal to the state executive council. The executive council shall review the proceedings and authorize reimbursement for the costs and expenses or for that part which the executive council finds justified, and shall notify the state comptroller to draw a warrant to the county treasurer on the state general fund for the amount authorized.

Approved April 23, 1982

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**CHAPTER 1109**  
**DUBUQUE COUNTY LEGALIZING ACT**  
*H.F. 2427*

**AN ACT** to legalize the action of the board of supervisors of Dubuque county reprecincting Cascade and Whitewater townships effective upon publication.

**WHEREAS**, the board of supervisors of Dubuque county on December 21, 1981, adopted a resolution combining Cascade and Whitewater townships into a single election precinct; and

**WHEREAS**, the board of supervisors of Dubuque county on February 1, 1982, adopted a resolution making Cascade and Whitewater townships separate election precincts; and

**WHEREAS**, section 49.8 prohibits a board of supervisors from changing precinct boundaries except in certain circumstances; and

WHEREAS, absent any action by the board of supervisors, section 49.4 provides that civil townships shall constitute election precincts; NOW THEREFORE,

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That the action of February 1, 1982, by the board of supervisors of Dubuque county making Cascade and Whitewater townships separate election precincts is legalized and confirmed and the townships shall constitute separate election precincts.

Sec. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in the Mount Ayr Record-News, a newspaper published in Mount Ayr, Iowa, and in The Waterloo Courier, a newspaper published in Waterloo, Iowa.

Approved April 23, 1982

I hereby certify that the foregoing Act, House File 2427 was published in the Mt. Ayr Record-News, Mt. Ayr, Iowa on April 29, 1982 and in The Waterloo Courier, Waterloo, Iowa, on April 29, 1982.

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1981, there being no newspaper by the name of The Waterloo Courier, published in Waterloo, Iowa, I hereby designate the Waterloo Courier, published in Waterloo, Iowa to publish the foregoing Act, House File 2427.

MARY JANE ODELL, *Secretary of State*

## CHAPTER 1110

### SECONDARY AND FARM-TO-MARKET HIGHWAYS

*H.F. 2469*

**AN ACT** relating to requirements of the state department of transportation and county officials with regard to secondary and farm-to-market highways.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 309.42, Code 1981, is amended to read as follows:

309.42 ~~APPROVAL~~ REVIEW OF ROAD, BRIDGE OR CULVERT CONTRACTS. Contracts for road, bridge or culvert construction work which, according to the engineer's estimate, involve a cost of more than twenty thousand dollars in the aggregate shall be first approved reviewed by the department to assure compliance with this chapter before the same shall be contracts are effective as a contract.

Sec. 2. Section 309.56, Code 1981, is amended to read as follows:

309.56 **PROJECT PLANS.** The plans for each project, on which contracts will be let pursuant to the provisions of sections 309.40, and 309.42 and ~~309.80~~ as soon as approved by the board of supervisors, shall be submitted to the department, and the board of supervisors may designate to the department which projects, in their estimation, should be first passed upon by said the department. The department shall pass on such reports and plans, and in so doing, shall take into consideration the thoroughness, feasibility, and practicability of such the plans.

Sec. 3. Section 309.68, Code 1981, is amended to read as follows:

309.68 **INTERCOUNTY HIGHWAYS.** Boards of supervisors of adjoining counties in this state shall, subject to the approval of the department: